

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE

SUBJECT Meeting with State of Minnesota and U.S. Attorney on
Reilly Tar, May 22, 1980

FROM Robert Leininger *RL*



TO Addressees

Maureen Brennan, Erica Dolgin and Robert Leininger met with Steve Shakman, Dennis Coyne and Bill Donahue of the Minnesota Attorney Generals' office. The state definitely will move to intervene in the federal law suit and will include most of their pending state level claims in the motion to intervene. The state is willing to cooperate as fully as possible, both legally and technically. The state level action may have to be stayed, but it would be unwise and unnecessary to ~~discuss~~ *dismiss* the States' case.

Erica Dolgin will do the re-drafting of the complaint since she has a good idea as to what Roisman wants. The state agreed to draft the claims for relief since it has a more ready access to the studies which are being done and what is needed to eliminate the health and environmental problems at this time.

Later in the day, Brennan, Dolgin & Leininger met with Thomas Berg and Frank Herman of the U.S. Attorney's office. Berg had quite a few questions with regard to why we should bring the case, what the state has done, what the present state posture is, etc. Basically he was playing the devils advocate for a while. He then expressed a lot of interest in the case and wanted to know what support Leininger would give to the case. He said that whatever legal assistance the U.S. Attorney needed on the case, he would be able to provide it.

Berg and Weaver were also advised that the complaint is being re-drafted by Dolgin and should be ready to be filed in about three weeks.

bcc: Gardebring/Bryson/Fenner
Grimes, Schulteis, Leininger
Miner/Muno
Toepfer

006339

CC: Timmer
Kimmer/Schulteis
Toupton
Minner/Muno

TO: DALE BRYSON

FROM: BOB LEININGER

RE: REILLY TAR / Meeting between State & U.S. Atty

DATE: 7/7

Anita told me that you wanted to know about the 7/2 meeting in Minneapolis between the State and U.S. Attorney.

Maureen called me on 7/1 and said that Steve Shakman, from the State had spoken w/ her, and mentioned that he and two others from the A.G.'s office were going to meet w/ Tom Berg & Frank Herman.

Since Maureen, Erica & I had already discussed the case w/ the U.S. Attorney and on several occasions w/ the State, we felt that it was unnecessary for either of us to attend.

Basically, Berg wanted to flesh base w/ the State and make sure that they really wanted the funds to carry the ball and that they would be willing to hold off on their case as necessary.

I have been unable to contact Frank Herman, but I spoke w/ Steve Shakman today who said that the meeting went well. Berg was satisfied w/ what the State's posture was on

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comments on the Complaint by 7/9. Shakman said that the State has ^{major} no problems w/ the Complaint & will, therefore, have only a few comments to make.